

REMARKS

Claims 1-68 are pending in this application. Claims 1, 8, 35 and 38 are independent claims. Reconsideration and allowance of the present application are respectfully requested.

Claim Rejections

Rejections under 35 U.S.C. §102 – D’Angelo

Claims 35-45, 52-58 and 61-67 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,133,830 (“D’Angelo”). This rejection is respectfully traversed.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The Applicants respectfully submit that D’Angelo fails to teach each of the elements in claim 35 as is required to support a rejection under §102. D’Angelo does not teach a security unit “wherein the receiver is deactivated in a connect mode of the security unit”. With respect to deactivating a receiver, the Examiner directs the Applicants’ attention to column 11, lines 17-67 (*October 26, 2007 Office Action*: p. 2). Applicant notes that D’Angelo discloses a low power mode where the detector microprocessor enters a sleep mode. However, D’Angelo is silent about **deactivating the receiver** in this low power mode or any other mode. Nothing in D’Angelo discloses deactivating the receiver. Accordingly, D’Angelo fails to teach each of the elements in claim 35 as is required to support a rejection under §102.

Additionally, claim 38 contains limitations similar to those in claim 35. Accordingly, at least by virtue of its similarity to claim 35, D’Angelo fails to teach each of the limitations in claim 38 as is required to support a rejection under §102.

Furthermore, claims 36, 37, 41-45, 52-58 and 61-67 depend from claim 35; and claims 39 and 40 depend from claim 38. Accordingly, at least by virtue of their dependency from claims 35 and 38, D’Angelo fails to teach each of the limitations in any of claims 36, 37, 39-45, 52-58 and 61-67 as is required to support a rejection under §102.

Therefore, Applicants respectfully request that this rejection of claims 35-45, 52-58 and 61-67 under 35 U.S.C. §102 be withdrawn.

Rejections Under 35 U.S.C. § 103 – D’Angelo in view of Soleimani

Claims 46-51 and 59-60 stand rejected under 35 U.S.C. §103(a) as being unpatentable over D’Angelo in view of U.S. Patent No. 4,804,943 (“Soleimani”). This rejection is respectfully traversed.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The deficiencies of D’Angelo have been discussed above and are applicable here as well because claims 46-51, 59 and 60 depend from claim 35. Soleimani cannot remedy these deficiencies because Soleimani also fails to teach a security unit “wherein the receiver is deactivated in a connect mode of the security unit”. Accordingly, neither D’Angelo nor Soleimani, alone or in combination, teach each of the limitations in claim 35. Thus, the Examiner cannot establish a *prima facie* case of obviousness with respect to claim 35. Consequently, at least in view of their dependency from claim 35, the Examiner cannot establish a *prima facie* case with respect to any of claims 46-51, 59 and 60 as is required to support a rejection under §103.

Therefore, Applicants respectfully request that this rejection of claims 46-51 and 59-60 under 35 U.S.C. §103 be withdrawn.

Rejections Under 35 U.S.C. § 103 – D’Angelo in view of Carruthers, II

Claim 68 stands rejected under 35 U.S.C. §103(a) as being unpatentable over D’Angelo in view of U.S. Patent No. 5,331,306 (“Carruthers”). This rejection is respectfully traversed.

The deficiencies of D’Angelo have been discussed above and are applicable here as well because claim 68 depends from claim 35. Carruthers cannot remedy these deficiencies because Carruthers also fails to teach a security unit “wherein the receiver is deactivated in a connect mode of the security unit”. Accordingly, neither D’Angelo nor Carruthers, alone or in

combination, teach each of the limitations in claim 35. Thus, the Examiner cannot establish a *prima facie* case of obviousness with respect to claim 35. Consequently, at least in view of its dependency from claim 35, the Examiner cannot establish a *prima facie* case with respect to claim 68 as is required to support a rejection under §103.

Therefore, Applicants respectfully request that this rejection of claim 68 under 35 U.S.C. §103 be withdrawn.

Allowable Subject Matter

Applicants note with appreciation the Examiner's indication that claims 1-34 are allowed.

CONCLUSION

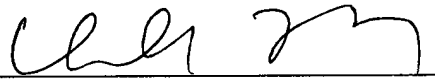
In view of the above remarks and amendments, Applicants respectfully submit that each of the rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Donald J. Daley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,
HARNESS, DICKEY, & PIERCE, P.L.C.

By



Donald J. Daley, Reg. No. 34,313

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000


DJJ/JHA/mat